

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: French et al.	§	Confirmation No.: 1697
	§	
Serial No. 09/930,328	§	Group Art Unit: 2137
	§	
Filed: August 15, 2001	§	Examiner: Popham, Jeffrey D.
	§	
For: Method and System for Managing	§	
Resources Using Geographic Location	§	
Information Within a Network	§	
Management Framework		

**Commissioner for Patents
P.O. Box 1450
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PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

REPLY BRIEF (37 C.F.R. 41.41)

This Reply Brief is submitted in response to the Examiner's Answer mailed on April 16, 2008.

No fees are believed to be required to file a Reply Brief. If any fees are required, I authorize the Commissioner to charge these fees, which may be required to IBM Corporation Deposit Account No. 09-0447.

RESPONSE TO EXAMINER'S ANSWER

On page 12 of the Examiner's Answer, the Examiner states that *Liming* is concerned with providing location-relevant services data and services to devices. The Examiner then points to paragraph [0052] of *Liming*, which states in part, "One aspect of the present invention includes a mechanism for automated and/or dynamic configuration and/or service location. This aspect provides a method for clients desiring use of spatially relevant services or information to automatically be configured with little or no human intervention to locate and utilize or participate in the spatial service on the network," as supporting this conclusion. However, Appellants respectfully wish to point out that the teaching of *Liming* in paragraph [0052] is not what is recited in claim 1. Rather claim 1 recites the feature of "configuring the network device in accordance with the geographic location information through a network administrative user interface." In contradistinction, paragraph [0052] of *Liming* teaches that data processing systems of clients are configured to able to use and participate in services that are based on spatial relevance. This is completely different that the claimed feature of "configuring the network device in accordance with the geographic location information through a network administrative user interface."

Claim 1 recites configuring a network device based on the location of the network device whereas *Liming*, in paragraph [0052] teaches configuring a client to be able to execute and participate in services that are dependent on spatial relevance. That is, claim 1 recites configuring the device based on the current location of the device. Thus, the configuration of the device is altered based on the location of the device, as recited in claim 1. In contradistinction, paragraph [0052] of *Liming* teaches that the device is configured to be able to access and execute programs and services that depend on a location. However, as taught by *Liming*, the device itself is not altered based on the location of the device. Rather the location of the device is merely a condition that is met in order to execute existing services and programs on the device, as explained in several paragraphs in *Liming*, including paragraphs [0049], [0110], [0112], [0123], [0133], [0135], [0137], and [0138], among others.. Thus, *Liming*, and specifically paragraph [0052] of *Liming* does not teach or suggest, "configuring the network device in accordance with the geographic location information," as suggested by the Examiner.

The Examiner points to paragraph [0110] as further support of *Liming* teaching "configuring the network device in accordance with the geographic location information," as this

paragraph shows “the management of location contexts and their use in location based activities.” (See Examiner’s Answer, page 13) Location based activities; however, are not the same as configuring a device based on the location of the device, as taught by claim 1. Rather, as explained in paragraph [0112] of *Liming*, use of location triggered or driven events are provided through the concept of an event queue. As explained in paragraph [0049] of *Liming*, “As a device is moved, or internal System 100 processes are otherwise triggered, location context events stored in an event queue acting as part of System 100 can interact through PA102 to execute processes or provide constraints that determine such executions. Processes executed through PA102 may involve retrieval of stored content from data sub-systems 112 or 204, and transmission of such content to Multimedia Device 106, User Interface 104, or externally connected devices (Block 114).” Thus, at best *Liming* and paragraph [0110] of *Liming* teach executing existing events and services on a device based on the location of the device. In contradistinction, claim 1 recites, “configuring the network device in accordance with the geographic location information.” Thus, paragraph [0110] of *Liming* fails to teach or suggest the feature of “configuring the network device in accordance with the geographic location information,” as recited in claim 1.

The Examiner points to paragraph [0157] of *Liming* as explicitly showing managing a network in accordance with geographic location information because paragraph [0157] teaches that network address and associated location may be used in geographically mapping a network. However, in no way does geographically mapping a network teach or suggest, “configuring the network device in accordance with the geographic location information,” as recited in claim 1.

The Examiner also point to paragraph [0160] of *Liming* as teaching managing a network in more detail and that, *Liming* provides “for flexible configuration of SYSTEM 100 style clients and systems. In one aspect of a preferred invention a client/server management architecture is used such as is currently supported with the Simple Network Management Protocol (SNMP).” The Examiner further reasons that combining paragraphs [0157] and [0160] leads one to “clearly see that *Liming* provides for configuration and management of device in accordance with location information using a management architecture/protocol such as SNMP” (See Examiner’s Answer, page 13) However, what claim 1 recites is “configuring the network device in accordance with the geographic location information.” Therefore, even if these paragraphs of *Liming* teach managing devices or a network based on location information, they in no way teach

or suggest configuring a device based specifically on the location of the device.

The Examiner also points to paragraph [0162] of *Liming* as disclosing a MIB that describes device attributes and a method for setting the attributes to control configuration. Appellants respectfully disagree. While paragraph [0162] may disclose that a MIB contains some values for a device that may be used in the configuration of the device, with regards to spatial information and coordinates, paragraph [0162] specifically says “it is valuable for devices with spatial attributes such as a known location to be able to have MIB elements that address these spatial aspects. For instance, if a device has spatial location entities such as current location coordinates, in the MIB then if that value is set in the device a remote management agent will be able to access those values, such values being perhaps updated by a built in system 100 capability using SNMPset commands, and retrieved using SNMPget commands. Additionally, earlier we described multiple transmission methods for spatial information including intervallic client send. Thus if a device has an spatial send interval MIB object, then a remote management agent may be able to alter this value to control the rate at which such a device sends spatial information to a server.” Thus, paragraph [0162] merely teaches storing spatial information in an MIB and that devices can access this information or change the rate at which a device sends spatial information to a server. However, altering the rate at which a device sends spatial information to a server is not the same as “configuring the network device in accordance with the geographic location information,” as recited in claim 1. Thus, *Liming* paragraph [0162] also fails to teach or suggest the feature of “configuring the network device in accordance with the geographic location information.”

The Examiner also points to paragraphs [0121] and [0123] of *Liming* as teaching or suggesting, “configuring the network device in accordance with the geographic location information.” Paragraph [0121] recites, “In addition to providing location-based control and automation, it is a further object of the present invention to provide for location based searches for business, services, products and other items, such as real estate, or network resources, such as printers and other devices, which may be nearby.” Thus, *Liming* teaches searching based on a location of a device and certain distance parameters. However, the device is simply searching for services to use. The device always had the search capability, it was just a change in location caused by the device to utilize this capability. However, the device was not, in and of itself, changed. Thus, paragraph [0121] of *Liming* fails to teach or suggest, “configuring the network

device in accordance with the geographic location information,” as recited in claim 1.

Paragraph [0123] of *Liming* states, “For example, one aspect of preferred embodiment includes a quick find capability for emergency services, such as local police stations, hospitals, and fire departments, as well as a means for locating and interacting with nearby mobile emergency units such as patrol cars.” Thus, paragraph [0123] teaches another capability of the device that is activated or used based on a trigger, in this case looking for a service based on the location of the service in relation to the location of the device. Therefore, paragraph [0123] fails to teach or suggest, “configuring the network device in accordance with the geographic location information.”

CONCLUSION

Liming fails to teach or suggest the claimed feature of “configuring the network device in accordance with the geographic location information.” Rather, *Liming* teaches a device that has capabilities that are triggered based on an event, such as the change of location of the device, or such as searching of services, devices or business, that were within a certain distance or proximity of the known location of the device. However, the capabilities are merely activated by the location of the device, or use the location of the device in their functioning; the device itself is not altered, or configured, based on the location of the device, as recited in claim 1.

Therefore, *Liming* fails to teach or suggest the recited feature of “configuring the network device in accordance with the geographic location information.”

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